



Homeland  
Security

September 27, 2013

**SENT VIA EMAIL TO: [6755-91616576@requests.muckrock.com](mailto:6755-91616576@requests.muckrock.com)**

Jason Smathers  
MuckRock News  
DEPT MR 6755  
PO Box 55819  
Boston, MA 02205-5819

**Re: 2013-IAFO-00118**

Dear Mr. Smathers:

This letter acknowledges receipt of your Freedom of Information Act (FOIA) request, to the Office of Intelligence and Analysis, received on September 18, 2013. You are requesting:

- 1) All communication between your agency and the CIA 's Poli tical Islam Strategic Analysis Program (PISAP) which operates under the CIA 's Directorate of Intelligence (DI) including communication with any PISAP employee .
- 2) All Memorandum of Understanding between your agency and PISAP .
- 3) All records maintained by your agency that details how, when or why you would provide intelligence to PISAP .
- 4) All emails to or from the director of your agency which contain the term "PISAP." This request is limited to records created between January 1, 2009 and the date this request is processed.

Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Per Section 5.5(a) of the DHS FOIA regulations, 6 C.F.R. Part 5, the Department processes FOIA requests according to their order of receipt. Although DHS' goal is to respond within 20 business days of receipt of your request, the FOIA does permit a 10-day extension of this time period. As your request seeks numerous documents that will necessitate a thorough and wide-ranging search, DHS will invoke a 10-day extension for your request, as allowed by Title 5 U.S.C. § 552(a)(6)(B).

As it relates to your fee waiver request, I have reviewed the DHS fee waiver regulations, 6 CFR § 5.11(k)(2), and the basis for your fee waiver request as outlined in your letter. After careful consideration, I have determined that you have not presented a convincing argument that you are entitled to a blanket waiver of fees.

The DHS FOIA Regulations set forth six factors to examine in determining whether the applicable legal standard for a fee waiver has been met:

- (1) Whether the subject of the requested records concerns "the operations or activities of the government;"
- (2) Whether the disclosure is "likely to contribute" to an understanding of government operations or activities;
- (3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requestor or a narrow segment of interested persons;
- (4) Whether the contribution to public understanding of government operations or activities will be "significant;"
- (5) Whether the requester has a commercial interest that would be furthered by the requested disclosure; and
- (6) Whether the magnitude of any identified commercial interest to the requestor is sufficiently large in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requestor.

Beyond statements supporting the fact that Muckrock has made information gathered from past FOIA requests available to the public free of charge, you have not detailed how the release of the information you seek will make a significant contribution to the public's understanding of DHS operations. As a requester, you bear the burden under the FOIA of showing that the fee waiver requirements have been met. Based on my review of your September 11, 2013 request, and for the reasons stated herein, I have determined that your fee waiver request is deficient because the subject does not appear to be of significant public interest.

You have the right to appeal the determination to deny your fee waiver request. Should you wish to do so, you must **send your appeal within 60 days of the date of this letter** to: Associate General Counsel (General Law), U.S. Department of Homeland Security, Washington, D.C. 20528, following the procedures outlined in Subpart A, Section 5.9, of the DHS Regulations. Your envelope and letter should be marked "Freedom of Information Act Appeal." The implementing Department regulations establish the criteria under which the FOIA is administered. Copies of the FOIA and regulations are available at [www.DHS.gov](http://www.DHS.gov). In addition, as you know, the Office of Government Information Services (OGIS) mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Contact information for OGIS can be found at <https://ogis.archives.gov/about-ogis/contact-ogis.htm>.

Provisions of the Act allow us to recover part of the cost of complying with your request. See 6 C.F.R. § 5.3(c). We shall charge you for records in accordance with the DHS Interim FOIA regulations as they apply to non-commercial requestors;. As a non-commercial requestor you will be charged 10-cents a page for duplication, although the first 100 pages are free, as are the first two hours of search time, after which you will pay the per quarter-hour rate (\$4.00, \$7.00, \$10.25) of the searcher. Submission of this request is interpreted as an agreement to pay the minimum amount of \$25.00. You will be contacted before any additional fees are accrued.

Your request has been assigned reference number **2013-IAFO-00118**. Please refer to this identifier in any future correspondence. You may contact this office at 202-447-4883.

Sincerely,

A handwritten signature in black ink that reads "Priscilla Waters". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Priscilla Waters  
FOIA Officer  
Office of Intelligence and Analysis